

DECLARATION AND POWER OF ATTORNEY

REGULAR OR DESIGN APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RADIOSENSITIZING TAXANES AND THEIR PHARMACEUTICAL COMPOSITIONS

the specification of which:

(check one)

- [ ] is attached hereto  
[X] was filed on September 13, 1996 as Application Serial No. 08/710,240, and was amended on \_\_\_\_\_.  
[ ] was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_, if any.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a) - (d) or §365(b) of any foreign application for patent or inventor's certificate, or §365(a) of any PCT application which designates at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)

Priority Not Claimed

ANY FOREIGN APPLICATION(S), ON THE SAME SUBJECT MATTER WHICH HAS A FILING DATE EARLIER THAN THE EARLIEST APPLICATION FROM WHICH PRIORITY IS CLAIMED

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
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CLAIM FOR BENEFIT OF PROVISIONAL APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

_____ 60/003,687 (Application Number)	_____ 09/13/95 (Filing Date)
_____ (Application Number)	_____ (Filing Date)

CLAIM FOR BENEFIT OF EARLIER U.S. APPLICATION(S) UNDER 35 U.S.C. 120

(complete this part only if this is a divisional,  
continuation or CIP application)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____ (Serial No.)	_____ (Filing Date)	_____ (Status: patented, pending, abandoned)
_____ (Serial No.)	_____ (Filing Date)	_____ (Status: patented, pending, abandoned)

POWER OF ATTORNEY

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Stuart N. Senniger (16,184), Irvin Powers (15,700), Donald G. Leavitt (17,626), John K. Roedel, Jr. (25,4), Michael E. Godar (28,416), Edward J. Hejlek (31,525), William E. Lah (26,757), Richard G. Heywood (18,224), Frank R. Agovino (27,416), Kurt F. James (33,716), G. Harley Blosser (33,650), Paul I. J. Fleis (35,513), Vincent M. Keil (36,838), Robert M. Evans, Jr. (36,794), Robert M. Bain (36,736), Kathleen M. Petrillo (35,076), Rudolph A. Tels (36,032), Paul A. Stone (38,628), Cindy S. Kaplan (40,043), David E. Crawford, Jr. (38,118), Paul A. Maddock (37,877), Charles E. Co (34,565), and Scott A. Williams (39,876).

Send Correspondence To:

SENNIGER, POWERS, LEAVITT & ROEDEL  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102

Direct Telephone Calls To:

Edward J. Hejlek  
(314) 231-5400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made of information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor

Robert A. Holton

Inventor's signature \_\_\_\_\_  
Residence Tallahassee, Florida  
Post Office address 7125 Upland Circle  
Tallahassee, Florida 32312

\_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Citizenship U.S.  
\_\_\_\_\_ de \_\_\_\_\_  
\_\_\_\_\_ 32312

Full name of second joint inventor

Hossain Nadizadeh

Second inventor's signature Hossain Nadizadeh  
Residence Tallahassee, Florida  
Post Office address 1415 Chapel Drive, #D308  
Tallahassee, Florida 32304

\_\_\_\_\_ Date 12/25/1995  
\_\_\_\_\_ Citizenship Iranian  
\_\_\_\_\_ ve, #D308  
\_\_\_\_\_ 32304

POWER OF ATTORNEY

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Stuart N. Senniger (16,184), Irving Powers (15,700), Donald G. Leavitt (17,626), John K. Roedel, Jr. (25,914), Michael E. Godar (28,416), Edward J. Hejlek (31,525), William E. Lahey (26,757), Richard G. Heywood (18,224), Frank R. Agovino (27,416), Kurt F. James (33,716), G. Harley Blosser (33,650), Paul I. J. Fleischut (35,513), Vincent M. Keil (36,838), Robert M. Evans, Jr. (36,794), Robert M. Bain (36,736), Kathleen M. Petrillo (35,076), Rudolph A. Telscher, Jr. (36,032), Paul A. Stone (38,628), Cindy S. Kaplan (40,043), David E. Crawford, Jr. (38,118), Paul A. Maddock (37,877), Charles E. Cohen (34,565), and Scott A. Williams (39,876).

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Full name of sole or first inventor Robert A. Holton

Inventor's signature Robert A. Holton Date 11/15/96  
Residence Tallahassee, Florida Citizenship U.S.  
Post Office address 7125 Upland Glade  
Tallahassee, FL 32312

Full name of second joint inventor Hossain Nadizadeh

Second inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence Tallahassee, Florida Citizenship Iranian  
Post Office address 1415 Chapel Drive, #D308  
Tallahassee, FL 32304

See paper #10 for deleting this Inventor.

Full name of third joint inventor Kurt G. Hofer

Third inventor's signature

Kurt G. Hofer

Date Nov. 15, 1996

Residence Tallahassee, Florida

Citizenship U.S.

Post Office address 235 Westridge Drive

Tallahassee, FL 32304

Full name of forth inventor Li-Xi Yang

Forth inventor's signature

Li-Xi Yang

Date 11/15/96

Residence Tallahassee, Florida

Citizenship Peoples Republic of China

Post Office address 1839 Miccosukee Road, Apt. 4B

Tallahassee, FL 32308

1097434BZ660

ASSIGNMENT

WHEREAS, We Robert A. Holton, Hossain Nadizadeh, Kurt G. Hofer and Li-xi Yang, all of Tallahassee, Florida have invented an improvement in RADIOSENSITIZING TAXANES AND THEIR PHARMACEUTICAL COMPOSITIONS (File FSU 10209) and have executed an application for a United States patent based thereon, Serial NO. 08/710,240, filed September 13, 1996;

AND, WHEREAS, Florida State University of Tallahassee, Florida, existing by virtue of the laws of the State of Florida (hereinafter referred to as "ASSIGNEE") is desirous of acquiring certain rights thereunder;

NOW, THEREFORE, for one dollar and other good and valuable consideration, receipt of all of which is hereby acknowledged, we have agreed to and do hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto in and to said invention, said United States application, any other United States applications (including divisional, continuing or reissue applications) based in whole or in part on said United States application or in whole or in part on said invention, any foreign applications based in whole or in part on any of the aforesaid United States application or in whole or in part on said invention, and any and all patents (including extensions thereof) of any country which have been or may be granted on any of the aforesaid applications or on said invention or any part thereof;

TO BE HELD AND ENJOYED by said ASSIGNEE, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us had no sale and assignment of said interest been made;

AND We hereby authorize and request the Commissioner of Patents of the United States of America to issue any and all United States patents which may be granted upon said United States applications or any of them, or upon said invention or any part thereof, to said ASSIGNEE;

AND We hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, to execute without further consideration any further lawful documents and any further assurances, and any divisional, continuing, reissue, or other applications for patents of any country, that may be deemed necessary by said ASSIGNEE fully to secure to said ASSIGNEE its interest as aforesaid in and to said invention or any part thereof, and in and to said several patents or any of them;

AND We hereby jointly and severally covenant for ourselves and our respective legal representatives that we have granted no right or license to make, use or sell said invention, to anyone except said ASSIGNEE, that prior to the execution of this deed our right, title and interest in said invention had not been otherwise encumbered, and that we have not executed and will not execute any instrument in conflict herewith.

IN WITNESS WHEREOF, we have hereunto set our hands.

Robert A. Holton  
Robert A. Holton

Hossain Nadizadeh

Kurt G. Hofer  
Kurt G. Hofer

Li-xi Yang  
Li-xi Yang

ACKNOWLEDGEMENT

STATE OF Florida )  
COUNTY OF Leon )

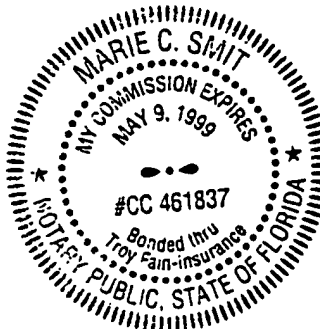
On this 15<sup>th</sup> day of November, 1996, before me, a Notary Public, personally appeared Robert A. Holton to me known to be the person described in and who executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

Marie C. Smit  
Notary Public

My Commission Expires:

May 9, 1999





IN WITNESS WHEREOF, we have hereunto set our hands.

\_\_\_\_\_  
Robert A. Holton

*Hossain Nadizadeh*  
Hossain Nadizadeh

\_\_\_\_\_  
Kurt G. Hofer

\_\_\_\_\_  
Li-xi Yang

ACKNOWLEDGEMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 1996, before me, a Notary Public, personally appeared Robert A. Holton to me known to be the person described in and who executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
  
\_\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 1996, before me, a Notary Public, personally appeared Hossain Nadizadeh to me known to be the person described, in and who executed, the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and the date and year last above written.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

STATE OF Fla )  
COUNTY OF Leon )

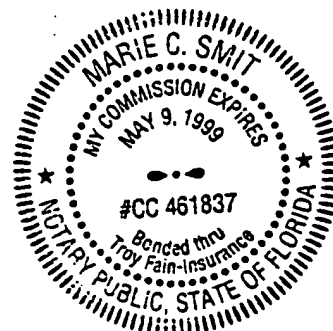
On this 15<sup>th</sup> day of November, 1996, before me, a Notary Public, personally appeared Kurt G. Hofer to me known to be the person described in and who executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

Marie C. Smit  
Notary Public

My Commission Expires:

May 9, 1999



Before me, personally appeared Hossain Nadizadeh and executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

H. Layat Far  
Signature

12/25/96  
Date

F. Rahmanpour  
Signature

12/25/96  
Date

109707-9248/660

STATE OF Fla )  
COUNTY OF Leon )

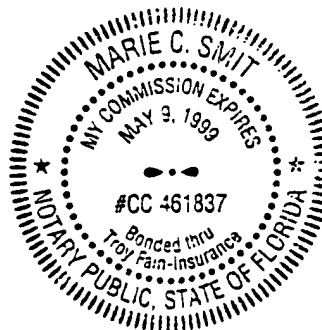
On this 15<sup>th</sup> day of November, 1996, before me, a Notary Public, personally appeared Li-xi Yang to me known to be the person described, in and who executed, the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and the date and year last above written.

Marie C. Smit  
Notary Public

My Commission Expires:

May 9, 1999



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